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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/369,790	08/06/1999	JETHRO F. STEINMAN	120-25410	7258

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EXAMINER

TRUONG, LECHI

ART UNIT PAPER NUMBER

2194

DATE MAILED: 03/22/2005

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/369,790

Applicant(s)

STEINMAN ET AL.

Examiner

LeChi Truong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 June 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Claims 1-37 are represented for the examination.

#### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3-7, 10, 12-16, 19-31, 33-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Waldo et al (US. Pat 5,815,709) in view of Cowsar et al (US. Patent 5,615,400).
3. As to claim 1, Waldo teaches the invention substantially as claimed including: a interface (objects, col 6, ln 9-12/interface 41, Fig.2, col 4, ln 27-65/ col 8, ln 1-60/ the object fingerprint value, col 6, ln 36-67), a check code generator (a new fingerprint generator, col 2, ln 30-67/ col 6, ln 6-12 and ln 13-18), interface identifier (a fingerprint to identify the type of the object, col 6, ln 14-16), a check code generator that transform said interface into an interface identifier (col 6, ln 6-16).
4. Waldo does not explicitly teach an interface of dynamically linkable component, couples said interface identifier to said dynamically linkable component, a interface verifier that employs said interface identifier to determine a compatibility of said interface of said dynamically linkable component. However, Cowsar teaches an interface of dynamically linkable component

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(the public virtual and non-virtual member functions of such dynamically linked classes, col 2, ln 33-36), couples said interface identifier to said dynamically linkable component (the resource set catalog identifies a plurality of function sets by respective function set Ids, col 3, ln 7-11/ ln 15-22/ ln 40-45/ the a dynamic class catalog which given a class ID, col 5, ln 21-25/ col 10, ln 14-18/ col 173, ln 35-39), a interface verifier that employs said interface identifier to determine a compatibility of said interface of said dynamically linkable component( a lookup engine coupled with the resource set catalog, and the dispatch engine, is responsive to the particular function set ID to look up a set record for a corresponding function set in the resource set catalog, col 3, ln 16-22/ col 8, ln 32-38/ col 11, ln 35-40/ col 173, ln 40-44).

5. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Waldo and Cowsar because Cowsar's an interface of dynamically linkable component, couples said interface identifier to said dynamically linkable component, a interface verifier that employs said interface identifier to determine a compatibility of said interface of said dynamically linkable component would increase the flexibility of Waldo's system by allowing the clients to dynamically determine the availability and compatibility of classes, and enable new functionality to be delivered in the form of new shared class libraries without recompiling the clients.

6. As to claim 3, Waldo teaches a types declaration file (a object fingerprint table 32, col 6, ln 37-67).

7. As to claim 4, Cowsar teaches a version (the version of function set, col 60, ln 39-67).

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8. As to **claims 5, 6**, Cowsar teaches a second dynamically linkable component (the form of new shared class libraries, col 2, ln 40-67, the second level dispatch routine, col 3, ln 39-50/ col 8, ln 21-31, Fig 5A, 92).

9. As to **claim 7**, Cowsar teaches a history list (Viable record, col 8, ln 56-61).

10. As to **claim 10**, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above.

11. As to **claim 12**, Cowsar teaches declaration file (this declaration defines the ID of the library, col 57, ln 45-51).

12. As to **claims 13-15**, they are apparatus claims of claims 4-6; therefore, they are rejected for the same reasons as claims 4-6 above.

13. As to **claim 16**, Cowsar teaches interface identifier (function set ID, col 3, ln 13-32), a history list (TClass record, col 11, ln 32-45).

14. As to **claims 19-22**, they are apparatus claims of claims 8, 10, 12, 13; therefore, they are rejected for the same reasons as claims 8, 10, 12, 13 above.

15. As to **claim 22**, it is an apparatus claim of claim 14; therefore, it is rejected for the same reason as claim 14 above. In additional, Cowsar teaches interface verifier (a lookup engine, col 3, ln 13-28).

16. As to **claims 23-24**, they are apparatus claims of claims 15, 24; therefore, they are rejected for the same reasons as claims 15, 24 above.

17. As to **claim 25**, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above.

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**18.** As to **claims 26-30**, they are apparatus claims of claims 20, 21, 5, 6, 16; therefore, they are rejected for the same reasons as claims 20, 21, 5, 6, 16 above.

**19.** As to **claim 31**, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above. In additional, Waldo teaches a plurality of sensors and controllable devices (video display unit, operator input device, col 3, ln 24-67/ fig.1).

**20.** As to **claim 33**, it is an apparatus claim of claim 12; therefore, it is rejected for the same reason as claim 12 above.

**21.** As to **claim 34**, it is an apparatus claim of claim 4; therefore, it is rejected for the same reason as claim 4 above. In additional, Cowsar teaches the term dynamic linking systems (col 2, ln 1-26), the form of new shared class libraries (col 2, ln 40-67).

**22.** As to **claims 35, 36**, they are apparatus claims of claims 6, 5, 7; therefore, they are rejected for the same reasons as claims 6, 5, 7 above.

**23.** Claims **8, 17, 37** are rejected under 35 U.S.C. 103(a) as being unpatentable over Waldo et al (US. Pat 5,815,709) in view of Cowsar (U.S Patent 5,615,400), as applied to claim 1 above , and further in view of Tate et al (US. Patent 5,991,774).

**24.** As to **claim 8**, Waldo and Cowsar do not teach a check sum, a cyclic redundancy check. However, Tate teaches a check sum, a cyclic redundancy check (a check sum, CRC, col 1, ln 14-43/ col 2, ln 1-33/ col 7, ln 14-48).

**25.** It could have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Waldo, Cowsar and Tate because Tate's a check sum, a

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cyclic redundancy check would improve the efficiency of Waldo and Cowsar's system by allowing protection of files and installed version software on any program to against viruses, tampering, or corruption.

26. As to claims 17, 37, they are apparatus claims of claim 8; therefore, they are rejected for the same reason as claim 8 above.

27. Claims 2, 11, 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Waldo et al (US. Pat 5,815,709) in view of Cowsar (U.S Patent 5,615,400), as applied to claim 1 above, and further in view of Lipe (US. Patent 5,548,759).

28. As to claim 2, Waldo and Cowsar do not teach a textual ... a portion of said interface. However, Lipe teaches a textual ... a portion of said interface (text file, col 5, ln 1-65).

29. It could have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Waldo, Cowsar and Lipe because Lipe's text file would improve the efficiency of Waldo and Cowsar's systems by allowing the generator transform interface more available to use for any file system formats.

30. As to claims 11, 32, they are apparatus claims of claim 2; therefore, they are rejected for the same reason as claim 2 above.

31. Claims 9, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Waldo et al (US. Pat 5,815,709) in view of Cowsar (U.S Patent 5,615,400), as applied to claim 1 above, and further in view Levy (US. Patent 6,505,160 B1).

32. **As to claim 9**, Waldo and Cowsar do not explicit teach filtering. However, Levy teaches filtering (filtered version, col 9, ln 45-61/ col 16, ln 54-57).

33. It could have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Waldo, Cowsar and Levy because Levy's filtering would improve the flexibility of Waldo and Cowsar's systems by allowing portion of a file to create a file ID.

34. **As to claim 18**, it is an apparatus claim of claim 9; therefore, it is rejected for the same reason as claim 9 above.

**Response to the argument:**

35. Applicant amendment filed on 8/20/03 has been considered but they are not persuasive:

Applicant argued in substance that :

(1) " Applicant's claimed invention employ an interface identifier that would account for the order of the parameter and allows for the dermination of incompatibility of the interfaces before the dynamically link".

(2) " Waldo does not teach or suggest, among other things, an interface verifier that employs the interface identifier to dertermine a compatibility of the interface of the dynamically linkable component"

36. Examiner respectfully disagreed with Applicant's remarks:

As to the point (1), employ an interface identifier that would account for the order of the parameter and allows for the dermination of incompatibility of the interfaces before the dynamically link was not in the claim.



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As to the point (2), Cowsar teaches a lookup engine coupled with the resource set catalog, and the dispatch engine, is responsive to the particular function set ID to look up a set record for a corresponding function set in the resource set catalog (col 3, ln 16-22/ col 8, ln 32-38/ col 11, ln 35-40/ col 173, ln 40-44).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (571) 272 3767. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

LeChi Truong

March 18, 2005

  
MENG-AI AN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

**Attachment for PTO-948 (Rev. 03/01, or earlier)**  
**6/18/01**

The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.

**INFORMATION ON HOW TO EFFECT DRAWING CHANGES**

**1. Correction of Informalities -- 37 CFR 1.85**

New corrected drawings must be filed with the changes **incorporated** therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the Notice of Allowability. Extensions of time may NOT be obtained under the provisions of 37 CFR 1.136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

**2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.**

All changes to the drawings, other than informalities noted by the Draftsperson, **MUST** be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.

**Timing of Corrections**

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a).

Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.